

In re Patent Application of:
Petkus, et al
Serial No. 10/806,949
Filed: March 23, 2004

REMARKS

The Examiner is thanked for the thorough examination of the present application. The Pre-Appeal Panel is also thanked for properly withdrawing the prior rejections. To further define over the prior art, independent Claims 1, 13, and 27 have been amended to include subject matter from dependent Claims 7, 18, and 31, respectively. Independent Claim 23 has also been amended to include subject matter along the lines of dependent Claim 7. Dependent Claims 7, 18, and 31 have been cancelled for consistency. The patentability of the amended claims is discussed below.

I. The Claimed Invention

The invention, as recited in amended independent Claim 1, for example, is directed to a cryptographic device including a cryptographic module and a communications module removably coupled thereto. The cryptographic module includes a first housing, a wired Ethernet user Local Area Network (LAN) interface carried by the first housing, a cryptographic processor carried by the first housing and coupled to the wired Ethernet user LAN interface, and a power circuit carried by the first housing and powering the cryptographic processor and the wired Ethernet user LAN interface. The cryptographic module also includes a first connector carried by the first housing and coupled to the cryptographic processor. The communications module includes a second housing, a second connector carried by the second housing and removably mateable with the first connector. The communications module also includes a network communications

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interface carried by the second housing and coupled to the first connector. The communications module is also powered by the power circuit.

Amended independent Claim 13 is directed to a corresponding cryptographic device where the communications module includes a network LAN interface, and the communications module includes a predetermined one from among a plurality of interchangeable communications modules each for communicating over a different communications media.

Amended independent Claim 23 is a method counterpart of independent Claim 1. Amended independent Claim 27 is a system counterpart of amended independent Claim 1. Independent Claims 13, 23, and 27 have been amended similar to amended independent Claim 1.

II. The Amended Claims Are Patentable

The Examiner rejected former dependent Claims 7, 18, and 31 over a combination of Dumont, Dhir et al., and Dellmo et al. Dumont is directed to an auxiliary module for a cellular telephone. The auxiliary module is coupled to the cellular telephone and may provide secured communications.

The Examiner correctly recognized that Dumont fails to disclose a wired Ethernet user local area network (LAN) interface carried by the first housing and a power circuit carried by the first housing and powering the cryptographic processor, the wired Ethernet user LAN interface, and the communications module. The Examiner turned to Dhir et al. for some of theses critical deficiencies. Dhir et al. is directed to a programmable integrated circuit, namely a field programmable gate array

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(FPGA), that can be used to handle different wireless local area network (WLAN) communication specifications.

The Examiner correctly recognized the even a selective combination of Dumont and Dhir et al. fails to disclose a power circuit carried by the first housing and powering the cryptographic processor, the wired Ethernet user LAN interface, and the communications module. The Examiner turned to Dellmo et al. for this critical deficiency. Dellmo et al. is directed to a secure wireless LAN device including a housing, a wireless transceiver carried by the housing, and a cryptography circuit carried by the housing. A media access controller (MAC) is included and implements a predetermined wireless LAN MAC protocol. The cryptography circuit includes a cryptography processor, and a control gateway.

Applicants submit that the Examiner mischaracterized Dellmo et al. as it fails to disclose a power circuit carried by the first housing and powering the cryptographic processor, the wired Ethernet user LAN interface, and the communications module. Instead, Dellmo et al. discloses the LAN device **20** including a single housing **21** and PCMCIA connector **27** carried by the single housing. (See Dellmo et al., paragraph 00334-0034, for example). The device **20** is coupled to a laptop computer or an access point. Indeed, as will be understood by a person skilled in the art, power to the device **20** is provided via the PCMCIA connector interface. In other words, the device **20** is powered by the laptop computer or from a power source within another housing, and not the first housing of the removably coupled cryptographic

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module. Moreover, Dellmo et al. discloses a backup battery 109 being for, "maintaining the cryptography information in the at least one volatile memory." (See Dellmo et al., paragraph 0058).

Nowhere in Dellmo et al. does it disclose a power circuit carried by the first housing and powering the cryptographic processor, the wired Ethernet user LAN interface, and the communications module.

Moreover, even if Dellmo et al. were to somehow disclose a power circuit carried by its housing and powering the cryptographic processor, the wired Ethernet user LAN interface, and the communications module, a person skilled in the art would be taught away from a combination with Dumont. More particularly, Dumont discloses a standard cellular telephone. (See Dumont, page 4, line 20). As understood by a person skilled in the art, a standard cellular telephone includes a battery powering its circuitry. Dumont discloses an auxiliary securing module that couples to a service connector of the cellular telephone. (See Dumont, page 5, lines 16-21). Nowhere in Dumont does it disclose the auxiliary function module being self powered. Instead, Dumont suggests that the auxiliary function module is powered by the standard cellular telephone. Thus, a person skilled in the art would not turn to Dellmo et al. to combine with a Dumont, which teaches its own fully satisfactory approach to powering the auxiliary function module.

Moreover, Dellmo et al. discloses the communications circuitry and cryptography circuitry being in the same housing. Indeed, any attempt at a selective combination with Dumont, and based upon the teachings of Dumont, would be improperly using

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Applicants' own specification as a roadmap to selectively disassemble and reassemble disjoint pieces of the prior art.

Even still further, Dumont discloses that using a PCMCIA card "requires considerable modification of the shape and structure of the telephone with respect to the shape and structure of an ordinary commercial telephone" and "increase the space requirement of the telephone." (See Dumont, page 2, lines 16-21). In contrast, Dellmo et al. discloses the interface connector being a PCMCIA or other similar connector.

Accordingly, Dellmo et al. expressly teaches away from Dumont.

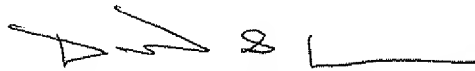
It is submitted that amended dependant Claims 7, 18, and 31 are patentable over the prior art. Their respective independent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

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III. CONCLUSION

In view of the amendments to the claims and the arguments provided herein, it is submitted that all the claims are patentable. Accordingly, a Notice of Allowance is requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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